

RESOLUTION OF BOSTON REDEVELOPMENT AUTHORITY AUTHORIZING FILING OF AMENDATORY APPLICATION FOR LOAN AND CAPITAL GRANT FOR PROJECT NO. MASS. R-56

WHEREAS, The Boston Redevelopment Authority is party to a Loan and Capital Grant Contract with the United States dated August 4, 1966, as amended;

WHEREAS, it is necessary and in the public interest for purposes of Project No. R-56 described in said contract (hereinafter referred to as the "Project"), that the Loan and Capital Grant be increased to provide for additional loan and grant assistance; and

WHEREAS, Title VI of the Civil Rights Act of 1964, and regulations of the Department of Housing and Urban Development effectuating that Title, provide that no person shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in the undertaking and carrying out of urban renewal projects assisted under Title I of the Housing Act of 1949, as amended;

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That an application to amend the Loan and Grant Contract No. Mass. R-56, dated August 4, 1966, as amended, for the purpose of seeking an increase of the Project Temporary Loan from \$41,832,709. to \$44,247,313., an increase of the Project Capital Grant from \$32,875,409. to \$35,290,013. is hereby approved, and that the Director is hereby authorized, for and on behalf of the Authority, to execute and file such Amendatory Application with the Department of Housing and Urban Development, and to provide such additional information and furnish such documents as may be required by said Department.
2. That the United States of America and the Secretary of the Department of Housing and Urban Development be, and they hereby are, assured of full compliance by the Authority with regulations effectuating Title VI of the Civil Rights Act of 1964.

MEMORANDUM

February 4, 1971

TO: Boston Redevelopment Authority

FROM: Robert T. Kenney, Director

SUBJECT: Increase in South End Project Capital Grant. Request
Authorization to File Amendatory Application.

To eliminate the cash local-grant-in-aid deficiency of \$2,414,604. that currently exists in the South End Financing Plan, and with the concurrence of the local H.U.D. office, it is necessary that an amendatory application be submitted.

Pooling of excess non-cash grant-in-aid credits from several other projects will eliminate the cash requirement now outstanding and increase the Project Capital Grant by a like amount.

It is therefore recommended that the Authority adopt the attached resolution authorizing the filing of an amendatory application requesting increases in Project Temporary Loan and Capital Grant Contract in the amount of \$2,414,604.

Attachment

EXHIBIT C OF APPLICATION BY E.T.C. & ASSOCIATES
TO BOSTON REDEVELOPMENT AUTHORITY
DATED November 30, 1970

II

BUILDING LAW (continued)

Section 1808 (i) Interior Stairway

Permission to waive requirement that no flight of stairs shall have more than 15 risers between landings.

Section 1808 (j) Interior Stairway

Permission to use existing spiral (winder) stairs as required exit for 10 persons or more in stairways more than 1 story in height.

Section 1812 (g) Fire Escapes

Permission to waive requirement for automatic closing Class B fire doors or fire windows in openings under or within 5 feet from a fire escape.

Section 3113 (j) Water Supply

Permission to waive requirement for individual apartment shut-offs.

Section 116 (g) Powers and Duties of Building Commissioner
Public Safety Regulation Chapter 143
General Regulations for all Buildings
Hereinafter Erected or for Existing
Buildings Where Practicable.

Permission to waive all requirements for 3 foot 6 inch wide stairway.

EXHIBIT C OF APPLICATION BY E.P.C. & ASSOCIATES
TO BOSTON REDEVELOPMENT AUTHORITY
DATED NOVEMBER 30, 1970

Statement of Permission Required for Project
To Deviate From Zoning and Other Laws

continued

G. Property at 342-346 Shawmut Avenue

I. ZONING VARIANCES

Article 8 Regulation of Use

Permission to convert a dwelling structure to more families under use item 8 and to allow non-residential-commercial use (use item 34, 37, 39, 40, 41, 43, or 44) in an R district.

Article 15 Building Bulk

Permission to waive requirement limiting floor area ratio in an R2 district to 2.0

Article 17 Open Space Requirement for Residences

Permission to waive requirement for 150 square feet per dwelling unit of usable open space.

Article 18 Front Yards

Permission to waive all requirements for front yards.

Article 19 Side Yards

Permission to waive requirement for side yard on a corner lot as required under Section 19-6.

Article 20 Rear Yards

Permission to waive all requirements for rear yard.

Article 23 Offstreet Parking

Permission to waive all requirements for offstreet parking.

Article 22 Yard Regulations

Permission to waive all yard regulation requirements.

Article 11 Signs

Permission to waive regulations with respect to size, kind and location of signs in a residential district.

EXHIBIT C OF APPLICATION BY E.T.C. & ASSOCIATES
TO BOSTON REDEVELOPMENT AUTHORITY
DATED November 30, 1970

II

BUILDING LAW

(reference to old Building Code approved for
use until July 1, 1971)

Section 1001 Div. 2b. Group H Occupancy

Permission for H occupancy in a type IV construction
building more than 3 stories high.

Section 1002 (a) Exterior Walls

Permission to have openings in exterior wall not less
than 7 feet 6 inches from a property line not protected
by Class B fire doors or windows.

Section 1003 (a) Fire Extinguishing Apparatus

Permission to waive requirement for automatic sprinklers
in cellars, basements, work rooms, store rooms, and
kitchens in type IV construction more than 3 stories high.

Section 1003 (b) Fire Extinguishing Apparatus

Permission to waive requirement for stand pipes in build-
ings of more than 5,000 square feet in area.

Section 1405 Masonry Walls

Permission to have masonry bearing party walls of 8 inches
thick (now existing).

Section 1413 (a) Parapet Walls

Permission to waive requirement for party walls to
extend 12 inches above roof; party walls to extend
to underside of roof.

Section 1503 (b) Enclosure of Vertical Openings

Permission to waive requirement for two-hour fire
resistive enclosure of vertical openings in type IV
construction of more than 3 stories high and
permission to have one-hour fire resistive enclosure.

Section 1803 (b) Interior Stairway

Permission to waive requirement that at least one
interior stairway extend to the roof.

Section 1803 (f) Interior Stairway

Permission to waive requirement that stairways be
constructed of incombustible materials and to use
existing stairways and landings.

EXHIBIT C OF APPLICATION BY E.T.C. & ASSOCIATES
TO BOSTON REDEVELOPMENT AUTHORITY
DATED November 30, 1970

II

BUILDING LAW (continued)

Section 1808 (i) Interior Stairway

Permission to waive requirement that no flight of stairs shall have more than 15 risers between landings.

Section 1808 (j) Interior Stairway

Permission to use existing spiral (winder) stairs as required exit for 10 persons or more in stairways more than 1 story in height.

Section 1812 (g) Fire Escapes

Permission to waive requirement for automatic closing Class B fire doors or fire windows in openings under or within 5 feet from a fire escape.

Section 3113 (j) Water Supply

Permission to waive requirement for individual apartment shut-offs.

Section 116 (g) Powers and Duties of Building Commissioner
Public Safety Regulation Chapter 143
General Regulations for all Buildings
Hereinafter Erected or for Existing
Buildings Where Practicable.

Permission to waive all requirements for 3 foot 6 inch wide stairway.

MEMORANDUM

January 21, 1971

TO: Boston Redevelopment Authority

FROM: Office of the Director

SUBJECT: Report and Decision on Chapter 121A Application by
Israel Feliciano et al
610-626 Tremont Street, 336-346 Shawmut Avenue
South End Urban Renewal Area

SUMMARY: This Memorandum requests that the Authority adopt the Report and Decision approving the redevelopment project, and consenting to the formation of E.T.C. & Associates, as proposed in the Application of Israel Feliciano, et al.

A public hearing was held by the Authority on December 30, 1970, on the above-captioned Application. At the time of the hearing, a South End resident having an interest in one of these properties requested time to investigate the possibility of rehabilitating this structure himself. In a letter addressed to the Authority from Frankland Miles, Esq., a copy of which is attached hereto, this resident has advised that he is no longer interested in the property.

The 121A Application has been examined and found to contain sufficient evidence in support of the proposed project to permit the Authority to proceed with the adoption of the attached Report and Decision approving the Project and consenting to the formation of the limited partnership.

As indicated by the Applicants at the hearing, and as stated in the Application, this proposal calls for the rehabilitation of thirteen existing buildings containing a total of 71 dwelling units. An allocation of the subsidy funds has been made by the Department of Housing and Urban Development under the Section 236 program. An initial closing and construction start is anticipated this spring.

It is therefore recommended that, pursuant to Chapter 121A of the General Laws, the Authority adopt the Report and Decision approving the Project and consenting to the formation of E.T.C. & Associates.

An appropriate Vote follows:

VOTED: That the Document presented at this meeting entitled "Report and Decision on the Application of Israel Feliciano et al for Approval of a Redevelopment Project and Consent to the Formation of E.T.C. & Associates Pursuant to Chapter 121A of the Massachusetts General Laws" be and hereby is approved and adopted.

E + C -

FRANKLAND W. L. MILES
FRANKLAND W. L. MILES, JR.
JOHN BROTHOR MILES

MILES AND MILES
COUNSELLORS AT LAW
27 STATE STREET
BOSTON, MASSACHUSETTS 02109
TELEPHONE 227-6234
AREA CODE 617

SOUTH SHORE OFFICE
59 MAIN STREET
PLYMOUTH, MASS. 02360
TEL: 746-2660
AREA CODE 617

January 8, 1971

Boston Redevelopment Authority
City Hall, Room 900
Boston, Massachusetts 02201

Re: Charles Curry

Att: Jay LaCroix

Dear Mr. LaCroix:

Receipt is acknowledged of your letter of the 6th and thank you for giving me the picture as you understand it. Have not yet received the estimate of the cost of rehabilitation to which you refer, but perhaps it will come in today--as suggested.

Day before yesterday I visited Mr. McGovern at the Redevelopment Authority and he went into detail as to the probable cost of acquisition. Then, we went over and talked with Paul Lareau concerning the possible finance arrangements in the event Curry desires to acquire the property and attempt to rehabilitate it. Later, Mr. Curry visited this office and we had a very frank and full discussion and he has decided in view of my report of the conversations not to plan on acquiring the property himself--but rather, to agree to the price suggested by Mr. McGovern and agrees to the acquiring of the property by the Authority. We have so advised Attorney Belliveau as the Administrator.

It was nice meeting you and your associates out at the premises on Tremont Street and your courtesy and cooperation is appreciated.

Cordially,


Frankland W. L. Miles

FWLM:lec

KENNEDY'S APPRAISAL NOT YET RECEIVED. 5:10 PM